

20 DEC 2004



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Gary M. Nath  
Nath & Associates, PLLC  
1030 15th Street, NW - 6th Floor  
Washington, D.C. 20005

In re Application of  
PARK

Application No.: 10/500,447

PCT No.: PCT/KR02/02154

Int. Filing Date: 19 November 2002

Priority Date: 19 November 2001

Att. Docket No.: 26208

For: METHOD FOR PRODUCING A RECOMBINANT:  
PROTEIN USING POLLEN

DECISION ON PETITION

UNDER 37 CFR 1.137(b)

The petition to revive under 37 CFR 1.137(b) filed 30 June 2004 in the above-captioned application is hereby **GRANTED** as follows:

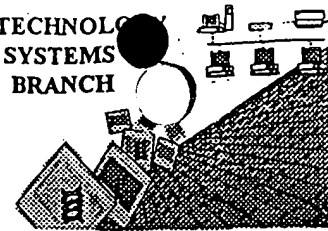
Applicant's statement that "the entire delay in filing this entry into the national phase due 19 May 2004, until the filing of this statement and the attached Petition under CFR 1.137(b) is unintentional" and the prompt filing of the petition satisfies the requirement of 37 CFR 1.137(b)(3).

A review of the application file reveals that applicant has now provided payment of the full, U.S. Basic National Fee. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America. It is noted that the sequence listing filed 30 June 2004 is defective. A courtesy copy of the "Raw Sequence Listing Error Report" is attached.

As authorized, the \$65.00 surcharge for providing an oath or declaration of the inventors later than thirty months from the priority date will be deducted from Deposit Account No.: 14-0112.

This application is being returned to the United States Designated/Elected Office (DO/EO/US) for the mailing of "Notification of Missing Requirements" (Form PCT/DO/EO/905) indicating that a compliant sequence listing is required.

Derek A. Putonen  
Attorney Advisor  
Office of PCT Legal Administration  
Tel: (571) 272-3294  
Fax: (571) 273-0459



## RAW SEQUENCE LISTING ERROR REPORT

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 10/500,447  
Source: PCT  
Date Processed by STIC: 7/8/04

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION AND PATENTIN SOFTWARE QUESTIONS, PLEASE CONTACT MARK SPENCER, TELEPHONE: 571-272-2510; FAX: 571-273-0221

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE CHECKER VERSION 4.2 PROGRAM, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS

<http://www.uspto.gov/web/offices/pac/checker/chkrnote.htm>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/ebc/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
3. Hand Carry, Federal Express, United Parcel Service, or other delivery service (EFFECTIVE 06/05/04):  
U.S. Patent and Trademark Office, 220 20<sup>th</sup> Street S., Customer Window, Mail Stop Sequence, Crystal Plaza Two, Lobby, Room 1B03, Arlington, VA 22202

Revised 05/17/04

# Sequence Listing Error Summary

## ERROR DETECTED

## SUGGESTED CORRECTION

SERIAL NUMBER:

10/500,447

ATTN: NEW RULES CASES: PLEASE DISREGARD ENGLISH "ALPHA" HEADERS, WHICH WERE INSERTED BY PTO SOFTWARE

- 1      Wrapped Nucleics  
    Wrapped Aminos     The number/text at the end of each line "wrapped" down to the next line. This may occur if your file was retrieved in a word processor after creating it. Please adjust your right margin to .3; this will prevent "wrapping."
- 2      Invalid Line Length     The rules require that a line not exceed 72 characters in length. This includes white spaces.
- 3      Misaligned Amino  
    Numbering     The numbering under each 5<sup>th</sup> amino acid is misaligned. Do not use tab codes between numbers; use space characters, instead.
- 4      Non-ASCII     The submitted file was not saved in ASCII(DOS) text, as required by the Sequence Rules. Please ensure your subsequent submission is saved in ASCII text.
- 5      Variable Length     Sequence(s)          contain n's or Xaa's representing more than one residue. Per Sequence Rules, each n or Xaa can only represent a single residue. Please present the maximum number of each residue having variable length and indicate in the <220>.<223> section that some may be missing.
- 6      PatentIn 2.0  
    "bug"     A "bug" in PatentIn version 2.0 has caused the <220>.<223> section to be missing from amino acid sequences(s)         . Normally, PatentIn would automatically generate this section from the previously coded nucleic acid sequence. Please manually copy the relevant <220>.<223> section to the subsequent amino acid sequence. This applies to the mandatory <220>.<223> sections for Artificial or Unknown sequences.
- 7      Skipped Sequences  
    (OLD RULES)     Sequence(s)          missing. If intentional, please insert the following lines for each skipped sequence  
                    (2) INFORMATION FOR SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)  
                    (i) SEQUENCE CHARACTERISTICS: (Do not insert any subheadings under this heading)  
                    (xi) SEQUENCE DESCRIPTION: SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)  
                    This sequence is intentionally skipped  
  
Please also adjust the "(ii) NUMBER OF SEQUENCES:" response to include the skipped sequences
- 8      Skipped Sequences  
    (NEW RULES)     Sequence(s)          missing. If intentional, please insert the following lines for each skipped sequence  
                    <210> sequence id number  
                    <400> sequence id number  
                    000
- 9      Use of n's or Xaa's  
    (NEW RULES)     Use of n's and/or Xaa's have been detected in the Sequence Listing.  
                    Per 1.823 of Sequence Rules, use of <220>.<223> is MANDATORY if n's or Xaa's are present.  
                    In <220> to <223> section, please explain location of n or Xaa, and which residue n or Xaa represents.
- 10      Invalid <213>  
    Response     Per 1.823 of Sequence Rules, the only valid <213> responses are: Unknown, Artificial Sequence, or  
                    scientific name (Genus/species). <220>.<223> section is required when <213> response is Unknown, or  
                    is Artificial Sequence
- 11      Use of <220>     Sequence(s)          missing the <220> "Feature" and associated numeric identifiers and responses.  
                    Use of <220> to <223> is MANDATORY if <213> "Organism" response is "Artificial Sequence" or  
                    "Unknown." Please explain source of genetic material in <220> to <223> section.  
                    (See "Federal Register," 00/01/1998, Vol. 63, No. 104, pp. 29631-32) (Sec. 1.823 of Sequence Rules)
- 12      PatentIn 2.0  
    "bug"     Please do not use "Copy to Disk" function of PatentIn version 2.0. This causes a corrupted file,  
                    resulting in missing mandatory numeric identifiers and responses (as indicated on raw sequence  
                    listing). Instead, please use "File Manager" or any other manual means to copy file to floppy disk.
- 13      Misuse of n/Xaa     "n" can only represent a single nucleotide; "Xaa" can only represent a single amino acid

AMC - Biotechnology Systems Branch - 09/09/2003

BEST AVAILABLE COPY



PCT

## RAW SEQUENCE LISTING

DATE: 07/08/2004

PATENT APPLICATION: US/10/500,447

TIME: 15:49:04

Input Set : A:\sequence-PARK.ST25.txt

Output Set: N:\CRF4\07082004\J500447.raw

3 <110> APPLICANT: PARK, Hee-Sung  
 5 <120> TITLE OF INVENTION: Method for producing a recombinant protein using pollen  
 7 <130> FILE REFERENCE: 26208 (YLOP040518US/PCT)  
 C--> 9 <140> CURRENT APPLICATION NUMBER: US/10/500,447  
 C--> 9 <141> CURRENT FILING DATE: 2004-06-30  
 9 <150> PRIOR APPLICATION NUMBER: KR 2001-71712  
 10 <151> PRIOR FILING DATE: 2001-11-19  
 12 <160> NUMBER OF SEQ ID NOS: 6  
 14 <170> SOFTWARE: PatentIn version 3.2  
 16 <210> SEQ ID NO: 1  
 17 <211> LENGTH: 24

Does Not Comply  
 Corrected Diskette Needed  
 (pg.1)

18 <212> TYPE: DNA  
 19 <213> ORGANISM: Oligonucleotide for amplification of urease B gene

21 &lt;400&gt; SEQUENCE: 1

22 atcctagaat gaaaaagatt agca

25 &lt;210&gt; SEQ ID NO: 2

26 &lt;211&gt; LENGTH: 24

27 &lt;212&gt; TYPE: DNA

28 <213> ORGANISM: Oligonucleotide for amplification of urease B gene

30 &lt;400&gt; SEQUENCE: 2

31 gagctctag aaaatgctaa agag

34 &lt;210&gt; SEQ ID NO: 3

35 &lt;211&gt; LENGTH: 25

36 &lt;212&gt; TYPE: DNA

37 <213> ORGANISM: Oligonucleotide for amplification of tissue plasminogen activator

39 &lt;400&gt; SEQUENCE: 3

40 aatctagaca tggatgcaat gaaga

43 &lt;210&gt; SEQ ID NO: 4

44 &lt;211&gt; LENGTH: 26

45 &lt;212&gt; TYPE: DNA

46 <213> ORGANISM: Oligonucleotide for amplification of tissue plasminogen activator

48 &lt;400&gt; SEQUENCE: 4

49 atgatctctg gtcacggctg catgtt

52 &lt;210&gt; SEQ ID NO: 5

53 &lt;211&gt; LENGTH: 1710

54 &lt;212&gt; TYPE: DNA

55 &lt;213&gt; ORGANISM: Helicobacter pylori

57 &lt;400&gt; SEQUENCE: 5

58 atgaaaaaga ttagcagaaa agaatatgtt tctatgtatg gccctactac aggcgataaa 60

60 gtgagattgg gcgatacaga cttgatcgct gaagtagaac atgactacac catttatggc 120

62 gaagagctta aattcggcgg tggtaaaacc ctaagagaag gcatgagcca atctaacaac 180

64 cctagcaaag aagaactgga tctaatacatc actaacgctt taatcgtgga ttacaccggt 240

66 atttataaag cggatattgg tattaaagat ggcaaaatcg ctggcattgg taaaggcggt 300

INVALID  
 Response

INVALID  
 Response

SAME  
 error

SAME  
 error

↑ pls see item # 10  
 ON error Summary sheet.

## RAW SEQUENCE LISTING

PATENT APPLICATION: US/10/500,447

DATE: 07/08/2004

TIME: 15:49:04

Input Set : A:\sequence-PARK.ST25.txt

Output Set: N:\CRF4\07082004\J500447.raw

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68 aacaaagaca tgcaagatgg cgtaaanaac aatcttagcg tgggtcctgc tactgaagcc 360
70 ttagccgggtg aaggtttgat cgtaactgct ggtggtattg acacacacat ccacttcac 420
72 tccccccaac aaatccctac agcttttgca agcgggtgta caacgatgat tgggtggcgga 480
74 actggccctg ctgatggcac taacgcaacc actatcactc caggtagaag aaatttaaaa 540
76 tggatgctca gagcggcaga agaattttct atgaacttaa gtttcttagc taaaggtaac 600
78 gcttctaacy atgcaagctt agccgatcaa attgaagccg gtgcgattgg ctttaaaatc 660
80 cacgaagact ggggcaccac tccttctgca atcaatcatg cgtagatgtg tgcggacaaa 720
82 tacgatgtgc aagtcgctat ccacacagac actttgaatg aagccggttg tgtagaagac 780
84 actatggcag ccattgcccg acgcactatg cacactttcc aactgaagg cgctggtggc 840
86 ggacacgctc ctgatattat taaagtagct ggtgaacaca acattctgcc cgcttccact 900
88 aaccccaacta tccctttcac tgtgaatata gaagcagaac acatggacat gcttatggtg 960
90 tgccaccact tggataaaaag cattaagaa gatgttcagt tcgctgattc aaggatccgc 1020
92 cctcaacta ttgcggctga agacactttg catgacatgg ggattttctc aatcaccagt 1080
94 tctgactctc aagctatggg tcgtgtgggt gaagtatca ccagaacttg gcaaacagct 1140
96 gacaaaaaca aaaaagaatt tggccgcttg aaagaagaaa aaggcgataa cgacaacttc 1200
98 aggatcaaac gctacttgct taaatacacc attaacccag cgatcgctca tgggattagc 1260
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106 catcatggta aagctaaata cgatgcaaac atcacttttg tgtctcaagc ggcttatgac 1500
108 aaaggcatta aagaagaatt agggcttgaa aggcaagtgt tgccggtaaa aaattgcaga 1560
110 aacatcacta aaaaagacat gcaattcaac gacactaccg ctacattga agtcaatcct 1620
112 gaaacttacc atgtgttcgt ggatggcaaa gaagtaactt ctaaacacag caataaagtg 1680
114 agcttggcac aactcttag cattttctag 1710
117 <210> SEQ ID NO: 6
118 <211> LENGTH: 2280
119 <212> TYPE: DNA
120 <213> ORGANISM: Homo sapiens
122 <400> SEQUENCE: 6
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125 aaggagcgt gtgaagcaat catggatgca atgaagagag ggctctgctg tgtgctgctg 120
127 ctgtgtggag cagtcttcgt ttgcgccagc caggaaatcc atgcccgaat cagaagagga 180
129 gccagatctt accaagtgat ctgcagagat gaaaaaacgc agatgatata ccagcaacat 240
131 cagtcatggc tgcgccctgt gctcagaagc aaccgggttg aatattgctg gtgcaacagt 300
133 ggcagggcac agtgccactc agtgccctgc aaaagttgca gcgagccaag gtgtttcaac 360
135 gggggcacct gccagcaggc cctgtacttc tcagatttcg tgtgccagtg ccccgaggga 420
137 tttgctggga agtgctgtga aatagatacc agggccacgt gctacgagga ccagggcatc 480
139 agctacaggg gcacgtggag cacagcggag agtggcgcg agtgcaccaa ctggaacagc 540
141 agcgcgttgg ccagaagcc ctacagcggg cggaggccag atgccatcag gctgggcctg 600
143 gggaaaccaca actactgcag aaaccagat cgagactcaa agccctggtg ctacgtcttt 660
145 aaggcgggga agtacagctc agagtctgc agcaccctg cctgctctga gggaaacagt 720
147 gactgctact ttgggaatgg gtcagcctac cgtggcacgc acagcctcac cgagtgggt 780
149 gcctcctgcc tcccgaggaa ttccatgatc ctgataggca aggtttacac agcacagaac 840
151 cccagtcccc aggcactggg cctgggcaaa cataattact gccggaatcc tgatgggat 900
153 gccaagccct ggtgccacgt gctgaagaac cgcaggctga cgtgggagta ctgtgatgtg 960
155 cctcctgct ccacctgcgg cctgagacag tacagccagc ctacgtttcg catcaaagga 1020
157 gggctcttcg ccgacatcgc ctcccacccc tggcaggctg ccacttttcg caagcacagg 1080
159 aggtcgccc gagagcgggt cctgtgcggg ggcatactca tcagctcctg ctggattctc 1140
161 tctgcccgcc actgcttcca ggagaggttt ccgcccacc acctgacggt gatcttgggc 1200

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## RAW SEQUENCE LISTING

PATENT APPLICATION: US/10/500,447

DATE: 07/08/2004

TIME: 15:49:04

Input Set : A:\sequence-PARK.ST25.txt

Output Set: N:\CRF4\07082004\J500447.raw

163	agaacatacc	gggtggtccc	tggcgaggag	gagcagaaat	ttgaagtcga	aaaatacatt	1260
165	gtccataagg	aattcgatga	tgacacttac	gacaatgaca	ttgcgctgct	gcagctgaaa	1320
167	tccgattcgt	cccgcgtgtgc	ccaggagagc	agcgtggtcc	gcactgtgtg	ccttcccccg	1380
169	gcggaacctgc	agctgccgga	ctggacggag	tgtgagctct	ccggctacgg	caagcatgag	1440
171	gccttgtctc	ctttctattc	ggagcggctg	aaggaggctc	atgtcagact	gtacccatcc	1500
173	agccgctgca	catcacaaca	tttacttaac	agaacagtca	ccgacaacat	gctgtgtgct	1560
175	ggagacactc	ggagcggcgg	gccccaggca	aacttgacg	acgcctgcc	gggcgattcg	1620
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183	gagatcccg	ctcttcttct	tcagaagaca	ctgcaaaggc	gcagtgtctc	tctacagact	1860
185	tctccagacc	caccacaccg	cagaagcggg	acgagaccct	acaggagagg	gaagagtgca	1920
187	ttttcccgaga	tacttcccat	tttggaagtt	ttcaggactt	ggtctgattt	caggatactc	1980
189	tgtcagatgg	gaagacatga	atgcacacta	gcctctccag	gaatgcctcc	tccttgggca	2040
191	gaaagtggcc	atgccaccct	gttttcagct	aaagcccaac	ctcctgacct	gtcaccgtga	2100
193	gcagcttttg	aaacaggacc	acaaaaatga	aagcatgtct	caatagtaaa	agataacaag	2160
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197	cagcagggcc	tcaaagttgg	ggcaggctgg	ctggcccgtc	atgttcctca	aaagcaccct	2280

**VERIFICATION SUMMARY**

PATENT APPLICATION: US/10/500,447

DATE: 07/08/2004

TIME: 15:49:05

Input Set : A:\sequence-PARK.ST25.txt

Output Set: N:\CRF4\07082004\J500447.raw

L:9 M:270 C: Current Application Number differs, Replaced Current Application No

L:9 M:271 C: Current Filing Date differs, Replaced Current Filing Date